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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,989	10/02/2003	Peter Spiess	16565	9067
43935 7590 11/05/2007 FRASER CLEMENS MARTIN & MILLER LLC 28366 KENSINGTON LANE PERRYSBURG, OH 43551				
			EXAMINER PICO, ERIC E	
			ART UNIT 3654	PAPER NUMBER
			NOTIFICATION DATE 11/05/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

miller@fraser-ip.com
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Office Action Summary	Application No.	Applicant(s)	
	10/677,989	SPIESS, PETER	
	Examiner	Art Unit	
	Eric Pico	3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 4,8 and 13-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-7 and 9-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892). | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/21/2007 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim(s) 1-3, 5-7, 9-12 is/are rejected under 35 U.S.C. 102(b) as being anticipated by Steele U.S. Patent No. 3255807.

4. **Regarding claim 1**, Steele discloses an apparatus for guiding a door leaf 22 of a sliding door comprising:

5. guide elements 50, 52 having an axis of rotation; and

6. a movable belt 40 engaging the guide element 50, 52, the movable belt 40 having a portion adapted for contact with a guide surface 38 associated with the door

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leaf 22 whereby when the guide element 50, 52 is mounted on an edge surface 106 of the door leaf 22 to extend generally parallel to a plane of the guide surface 38 with the axis of rotation extending generally perpendicular to a plane of the edge surface 106, the portion of the movable belt 40 contacts the guide surface 38 during sliding of the door leaf 22 in a plane generally parallel to the plane of the guide surface 38.

7. **Regarding claim 2**, Steele discloses the guide surface 38 is disposed in a region of a door frame 30 for the door leaf 22 and the guide element 50, 52 is attached to the door leaf 22.

8. **Regarding claim 3**, Steele discloses the guide surface 38 is disposed in the door leaf 22 and the guide element 50, 52 is attached to a region of a door frame 30 for the door leaf 22.

9. **Regarding claim 5**, Steele discloses guide element 50, 52 is a roller rotatably attached to the door leaf 22.

10. **Regarding claim 6**, Steele discloses the guide element holds the movable belt 40 against the guide surface 38.

11. **Regarding claim 7**, Steele discloses movable belt 40 seals against the guide surface 38 to prevent air leakage between opposite sides of the door leaf 22.

12. **Regarding claim 9**, Steele discloses movable belt 40 has resilient properties (rubber, column 2, line 55).

13. **Regarding claim 10**, Steele discloses movable belt 40 has a laminated structure. The inclusion of leaf spring 58 in the belt is construed as a laminated structure.

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14. **Regarding claim 11**, Steele discloses a sliding door although not a door used in an elevator installation per se, Steele has all the structure set forth in the claims. The intended use in the preamble adds no patentable weight to the claims. Steel discloses a door used in an installation comprising:

15. a door leaf 22 having an edge surface 106 extending in a plane;

16. guide elements 50, 52 mounted on the edge surface 106 and having an axis of rotation extending generally perpendicular to the plane of the edge surface 106; and a movable belt 40 engaging the guide elements 50, 52, the movable belt having a portion adapted for contact with a guide surface 38 during sliding of the door leaf 22 relative to the guide surface 38, the guide surface 38 extending in a plane generally perpendicular to the plane of the edge surface.

17. **Regarding claim 12**, Steele discloses another guide element 50 mounted on the edge surface 106 and having an axis of rotation extending generally perpendicular to the plane of the edge surface 106 and the movable belt 40 being an endless belt engaging another guide element 50.

Response to Arguments

18. Applicant's arguments filed 08/21/2007 have been fully considered but they are not persuasive.

19. In response to applicant's argument, "The door 70 has a lower end surface 80 that extends in a plane parallel to (not perpendicular to as claimed by Applicant) the axis of rotation of the end roller 50" and "the end rollers 50 are mounted in a supporting web

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100 that extends downwardly from the door (not mounted on the edge surface as claimed by Applicant)" Steele discloses a guide elements 50, 52 mounted on an edge surface, referred to as trim element 106, and having an axis or rotation extending generally perpendicular to the plane of the edge surface 106 as claimed by the Applicant.


Conclusion

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Pico whose telephone number is 571-272-5589. The examiner can normally be reached on 6:30AM - 3:00PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EEP


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